

## **REMARKS**

Claims 1-8 and 10-43 are pending in the application. Claims 1 and 17 have been amended herein. Entry of the amendments and favorable reconsideration of the application is respectfully requested.

### ***I. CLAIM AMENDMENTS***

Claim 1 is amended to provide clarification regarding what appears to be an unintended interpretation of the claim language. In particular, claim 1 is amended to clarify that the polarisation modifying element (5) includes a patterned retarder, and wherein the output polariser (7) is arranged to transmit the same proportions of slow and fast axis components of light from the first and second sets of regions (8,9). For reasons discussed more fully below, it appears the Examiner may have interpreted such feature differently in the Office Action.

Claim 17 is amended simply to correct applicants' oversight in addressing the Examiner's objection to the claims as set forth in the first Office Action.

### ***II. REJECTIONS OF CLAIMS 1-8 AND 10-43 UNDER 35 USC §102/§103***

Claims 1-8 and 10-43 are pending in the present Office Action. Claim 1 is the only independent claim.

- (a) *Claims 1-5, 10-15, 17, 18, and 32-43 remain rejected as being anticipated by Nishiguchi.*
- (b) *Claims 1-8 and 10-16 remain rejected as being obvious over Jung, in view of May et al.*
- (c) *Claims 16 and 19-31 remain rejected as being obvious over Nishiguchi, in view of May et al.*

The Examiner responds to applicants' previous arguments on Page 2 of the Office Action. Regarding applicants' previous amendment to claim 1, the Examiner

states that such added feature "would necessarily have been met, since it does not disclose a structure, but an alleged arrangement of the claimed structure. Therefore, the structures of Nishiguchi and Jung in view of May would inherently meet the limitation". (O.A., p. 2; emphasis added).

Applicants are not sure if they understand the Examiner's position correctly. If the Examiner is arguing that the arrangement of the elements, e.g., the polarization modifying element 5, output polarizer 7 and first and second sets of regions, does not relate to a structural feature of the claim, applicants respectfully disagree. Applicants respectfully submit that the arrangement of the elements does in fact constitute structure, and therefore is entitled to patentable weight. It is well settled that the arrangement of the elements in a claim define the structure and is entitled to patentable weight. For example, a reference must show each of the elements recited in a claim, including their arrangement.

On the other hand, perhaps the Examiner was interpreting the language of claim 1 to read "the polarisation modifying element (5) comprises a patterned retarder and the output polarizer (7) are arranged to transmit the same proportions of slow and fast axis components of light from the first and second sets of regions (8,9)". (Emphasis Added).

In order to avoid such an interpretation, applicants have amended claim 1 to clarify that the language is to be interpreted such that "the polarisation modifying element (5) comprises a patterned retarder, and wherein the output polariser (7) is arranged to transmit the same proportions of slow and fast axis components of light from the first and second sets of regions (8,9)". (Emphasis Added). In other words, such revision to claim 1 makes clear that it is the output polariser that is arranged to transmit the same proportions of slow and fast axis components of light from the first and second sets of regions (8,9).

It is not an arrangement of the patterned retarder and the output polariser that results in the effect of the present invention, as the Examiner appears to perhaps have interpreted the claim. Rather, the output polariser alone is arranged to transmit the

same proportions of slow and fast axis components of light from the first and second sets of regions (8,9).

For example, the present application describes how "... the output polariser 7 may be arranged to pass equal proportions of the fast and slow axis components from each of the regions 8 and 9 so that the output light has a uniform wavefront." (Spec., p. 22, Ins. 11-22). Further, the present application discusses how

[L]ight which has experienced the fast axis is effectively extinguished by the output polariser 7. Thus, as is illustrated at 24, light from the whole area of the display has a substantially uniform wavefront so that variations in intensity across the display resulting from the patterning of the retarder 5 are substantially eliminated or reduced in level to the point where undesirable visual artifacts are substantially imperceptible to an observer of the display.

(Spec., p. 22, Ins. 1-9).

For reasons set forth in their previous response, applicants respectfully submit that neither Nishiguchi, Jung, nor May et al. teach or suggest such arrangement where the output polariser functions as claimed. To wit:

*i. Nishiguchi*

Contrary to the Examiner's assertions, applicants respectfully submit that Nishiguchi does not seem to disclose this feature. Although Nishiguchi discloses slow (or fast) axes of quarter wave plates 106b and 106c (please see, e.g., col. 16, lines 1-29 of Nishiguchi), Nishiguchi appears silent on the feature of "a patterned retarder and the output polariser (7) ... arranged to transmit the same proportions of slow and fast axis components of light from the first and second sets of regions (8,9)" of amended claim 1. Nishiguchi also does not discuss uniform wavefront of the output light or the other features associated with the claimed invention as described in paragraph [0071] of the published application.

*ii. Jung*

Like Nishiguchi, although Jung discloses use of a retarder (see, e.g., Col. 5, Ins. 34-37), Jung is silent on the effect of fast (or slow) axes of the retarder, and hence does not teach or suggest arranging the output polariser and the retarder to affect the wavefronts caused by the fast and slow axes so as to produce a uniform wavefront of the output light. In fact, Jung does not appear even to mention fast or slow axes of the retarder.

*iii. May et al.*

May et al. does not make up for the above-discussed deficiencies in Nishiguchi and Jung.

For at least the above reasons, applicants respectfully request withdrawal of the rejections.

**III. CONCLUSION**

Accordingly, all claims 1-8 and 10-43 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

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Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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